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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD WAYNE BEALL,

Petitioner,

vs.

RENO POLICE DEPARTMENT,

Respondent.

3: 10-cv-00569-RCJ-RAM

ORDER

This is a habeas corpus case pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding *pro se*. On October 19, 2010, the court entered an order in this case, granting petitioner thirty days to file a first amended petition, and providing him the appropriate form on which to do so. (Docket #4.) Petitioner was expressly cautioned that his failure to do so would result in the dismissal of this action. *Id.*

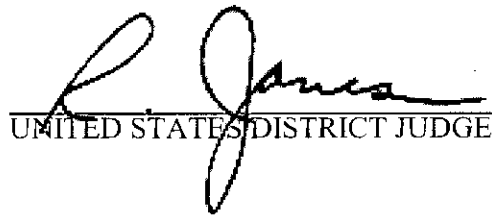
On November 10, 2010, petitioner filed a document entitled, "To Establish Grounds of Statutory Construction of Actual Innocence While In Confinement." (Docket #6.) No such pleading exists under the Federal Rules of Civil Procedure or in habeas corpus practice. Accordingly, petitioner's document filed November 10, 2010, is **HEREBY STRICKEN** and shall not be

1 considered by the court for any purpose.

2 Also on November 10, 2010, the court received a \$5.00 payment from petitioner. (Docket
3 #5.) Petitioner has already paid the \$5.00 filing fee for this action. (Docket #1.) Accordingly, the
4 Clerk is **HEREBY DIRECTED** to return the duplicate filing fee to petitioner.

5 Petitioner's first amended petition remains due on November 21, 2010, as per the court's
6 order of October 19, 2010. (Docket #4.)

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8 DATED this 30th day of November, 2010.

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11 UNITED STATES DISTRICT JUDGE
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